IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

-

WRIT PETITION NO : 19205 of 2003

Between:

T.Ganaeshwar S/o late T.Balraj
Aged about 30 years, Occupation : Conductor,

E.No.203404, R/o SRT-5 Vidyanagar
HYDERABAD **..... PETITIONER**

AND

1. A.P.S.R.T.C. represented by its Managing Director
   Musheerabad, HYDERABAD.

2. The Regional Manager(HCR), A.P.S.R.T.C.
   J.B.S, SECUNDERABAD
3 The Depot Manager A.P.S.R.T.C.
   HCU Bus Depot, Gachibowli
   HYDERABAD

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or direction particularly one in the nature of writ of Mandamus declaring the action of the respondents in not implementing the regularization of service as was done in proceedings No E4/145(2)/92-DVM(SD)dated 13-11-1992 and 3rd respondent's proceedings No.P1/686(1)/2002-HCU, dated 12-09-2002 in treating the petitioner as daily wager as illegal, arbitrary, unjust, discriminatory and in violation of Art 14, 16 & 21 of the Constitution of India and consequently direct the respondents to effect the regularization w.e.f. 13.11.1992 along with consequential benefits in the interest of justice and fair play.

For the Petitioner: MR.V.NARASIMHA GOUD, Advocate.

For the Respondent Nos.1 to 3 : Mr. K. HARINATH, Standing Counsel for A.P.S.R.T.C

The Court made the following :

ORAL ORDER:

This writ petition is filed by the petitioner praying the court to declare the action of the respondents in not implementing the regularisation of service as was done in proceedings No.E4/145(2)/92-DVM(SD), dated 13.11.1992 and 3rd respondent's proceedings No.P1/686(1)/2002-HCU, dated 12.09.2002 in treating the petitioner as daily wager as illegal and arbitrary and to direct the respondents to effect the regularisation w.e.f. 13.11.1992.

The counter has been filed by the respondents stating that due to certain cash and ticket irregularities, petitioner's regularization was extended for a period of one year on 08.08.1990 and therefore the service of the petitioner was not regularised w.e.f. 08.08.1990 and after completion of one year, the case of the petitioner was considered for regularization and orders have been passed on 24.11.2003 regularising his services w.e.f. 13.11.1993 and also directed for fixation of his pay accordingly in the subsequent revision of pay scales and ordering that he shall be given all the benefits in accordance with the award of the Labour Court/Industrial Tribunal.

The learned counsel for the respondents has no objection for the said orders passed in accordance with the award of Labour Court/Industrial Tribunal.

In view of the aforesaid orders passed by the 2nd respondent on 24.11.2003 regularising the services of the petitioner w.e.f. 13.11.1993 and directing fixation of his pay accordingly in the subsequent revision of pay scales, after regularization in the said pay scales as ordered by said award of Labour Court the same may be paid to the petitioner within two (2) months from the date of this order.

Accordingly, the writ petition is disposed of. No costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Managing Director,

A.P. State Road Transport Corporation,

Musheerabad, Hyderabad.

2. The Regional Manager (HCR),

A.P.S.R.T.C., J.B.S., Secunderabad.

3. The Depot Manager, A.P.S.R.T.C.,

HCU Bus Depot, Gachibowli,

Hyderabad.

2. Two C.D. copies

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